

Remarks

In the outstanding Official Action for the above-identified patent application, the Examiner:

(1) indicated that the drawings contain improper shading that may affect clarity when reproduced, and required Applicants to submit a formal correction of the noted defect;

(2) indicated that Figures 3 and 6 contain various trademarked logos forming part of the claimed design, and that the specification must be amended to include a statement preceding the claim identifying the trademark material forming part of the claimed design and the name of the owners of the trademark;

(3) indicated that the use of the trademarks Nike, Ford, Amazon.com, McDonalds, Rolex and Kodak has been noted in the above-identified application, and indicated that each of these trademarks should be capitalized wherever it appears and should be accompanied by the generic terminology;

(4) rejected claims 1-7, 10-26, 32, 33 and 37 under 35 USC 102(e) as being anticipated by Hoyle; and

(5) rejected claims 8, 9, 27-31 and 36 under 35 USC 103(a) as being unpatentable over Hoyle in view of Gupta et al.

In response to Item 1 above, Applicants have now submitted new formal drawings to remove any improper shading so as to more

clearly illustrate each of Figures 2, 3, 5 and 6. Accordingly, the drawings are believed to be allowable.

In response to Item 2 above, Applicants believe that the trademark logos shown in the Figures 3 and 6 are properly used for illustrative purposes. Applicants have not made any claim to the trademarked logos.

In response to Item 3 above, Applicants respectfully traverse the requirement to capitalize or include generic terminology inasmuch as the trademarks Nike, Ford, Amazon.com, McDonalds, Rolex and Kodak are properly used in trademark logo format in Figures 3 and 6 for illustrative purposes. Accordingly, Applicants believe that no amendment of the application is necessary to capitalize or include generic terminology. If this is incorrect, clarification is respectfully requested.

In response to Item 4 above, Applicants have now amended claims 1, 32 and 37 to call for a multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, and the selected component of the multimedia presentation containing an embedded placeholder, so as to more clearly define the present invention as claimed with respect to the prior art of record. In other words, targeted advertising is embedded within a feature of the presentation in a single "window".

Applicants believe that Hoyle discloses a system in which a user completes a profile and then is given access to download software applications capable of displaying targeted advertising during operation. Applicants believe that Hoyle discloses a graphical user interface (GUI) with a Windows-like desktop of available applications. Applicants further believe that Hoyle provides a desktop application in one portion of the GUI and ads targeted to a user in another portion, i.e., a banner window. Applicants believe that Hoyle teaches away from the present invention inasmuch as the desktop application and ads are displayed in separate window portions.

Claim 1 of the present invention comprises an Internet advertising system comprising a multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, the selected component of the multimedia presentation containing an embedded placeholder, and means for inserting the selected advertisement into the embedded placeholder of the multimedia presentation, the inserter means creating a seamless advertisement dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics.

Applicants believe that Hoyle does not disclose an Internet advertising system comprising a multimedia presentation with graphics, animated graphics or full-motion video containing an

embedded placeholder, and means for inserting a selected advertisement into the embedded placeholder, the inserter means creating a seamless advertisement dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics. For example, the present invention as claimed includes an advertisement displayed on a T-shirt of a character that dynamically moves with the motion of the character as opposed to the prior art of record in which banner advertisements remain within a static portion of a display window. Accordingly, claim 1 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claim 32 of the present invention comprises an Internet advertising system comprising a multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, the selected component of the multimedia presentation containing an embedded placeholder, and means for inserting the selected advertisement into the embedded placeholder of the multimedia presentation, the inserter means creating a seamless advertisement contained in the multimedia presentation.

Applicants believe that Hoyle does not disclose an Internet advertising system comprising a multimedia presentation with graphics, animated graphics or full-motion video containing an embedded placeholder, and means for inserting a selected advertisement into the embedded placeholder, the inserter means

creating a seamless advertisement contained in the multimedia presentation. For example, the present invention as claimed includes an advertisement displayed on a T-shirt of a character that dynamically moves with the motion of the character as opposed to the prior art of record in which banner advertisements remain within a static portion of a display window. Accordingly, claim 32 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 2-7, 10-26 and 33, which directly depends from independent claim 32, is believed to be in condition for allowance for at least the above-identified reasons. Accordingly, allowance if claims 2-7, 10-26 and 33 is respectfully requested.

Claim 37 of the present invention comprises an Internet advertising method comprising providing an original, Flash animation multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, the selected component of the Flash animation multimedia presentation containing at least two embedded placeholders, and inserting the selected advertisement into the embedded placeholder of the multimedia presentation using a Macromedia Generator computer program, the Generator computer program creating a seamless advertising dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics.

Applicants believe that Hoyle does not disclose an Internet advertising method comprising providing an original, Flash animation multimedia presentation with graphics, animated graphics or full-motion video containing at least two embedded placeholders, and inserting a selected advertisement into the embedded placeholder of the multimedia presentation using a Macromedia Generator computer program, the Generator computer program creating a seamless advertising dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics. For example, the present invention as claimed includes an advertisement displayed on a T-shirt of a character that dynamically moves with the motion of the character as opposed to the prior art of record in which banner advertisements remain within a static portion of a display window. Accordingly, claim 37 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In response to Item 5 above, Applicants have now amended claims 36 to call for a multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, and the selected component of the multimedia presentation containing an embedded placeholder, so as to more clearly define the present invention as claimed with respect to the prior art of record.

Applicants believe that Gupta et al. disclose a method for Internet advertising in which a proxy server initiates local

advertising by expressing interest in inserting its advertisement into a web server.

Claim 36 of the present invention comprises an Internet advertising method comprising providing a multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, the selected component of the multimedia presentation containing an embedded placeholder, and inserting the selected advertisement into the embedded placeholder of the multimedia presentation, wherein a seamless advertisement is dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics is created.

Applicants believe that neither Hoyle nor Gupta et al. disclose an Internet advertising method that comprises providing a multimedia presentation with graphics, animated graphics or full-motion video containing an embedded placeholder, and inserting a selected advertisement into the embedded placeholder of the multimedia presentation, wherein a seamless advertisement is dynamically contained in the multimedia presentation and targeted to the user's demographic characteristics is created. For example, the present invention as claimed includes an advertisement displayed on a T-shirt of a character that dynamically moves with the motion of the character as opposed to the prior art of record in which banner advertisements remain within a static portion of a display window. Accordingly, claim

36 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 8, 9 and 27-31, which depend either directly or ultimately from independent claim 1, are believed to be in condition for allowance for at least the above-identified reasons. Accordingly, allowance of claims 8, 9 and 27-31 is respectfully requested.

Applicant believes that claim 34 has not been addressed in the outstanding Official Action for the above-identified patent application. Claim 34, which directly depends on independent claim 32, is believed to be in condition for allowance for at least the above-identified reasons.

Applicant believes that claim 35 has not been addressed in the outstanding Official Action for the above-identified patent application. Claim 35 is believed to be allowable for the reasons indicated hereinabove inasmuch as claim 35 now calls for an original, Flash animation multimedia presentation comprising at least one component selected from a group consisting of graphics, animated graphics and full-motion video, the selected component of the Flash animation multimedia presentation containing at least one embedded placeholder, so as to more clearly define the present invention as claimed with respect to the prior art of record. For example, the present invention as claimed includes an advertisement displayed on a T-shirt of a character that dynamically moves with the motion of the character

as opposed to the prior art of record in which banner advertisements remain within a static portion of a display window. Accordingly, allowance of claim 35 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Respectfully submitted,

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